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**OCT 20 2004**

In re Application of  
Dinerstein, et al.  
Application No.: 10/084,609  
Filed: February 27, 2002  
Attorney Docket No: 2792-5178US

: **OFFICE OF PETITIONS**  
:  
: **ON PETITION**  
:  
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This is a decision on the petition under 37 CFR 1.28(c), filed October 4, 2004.

The petition is **GRANTED**.

The record reflects that the filing fee, surcharge, and claims fee were paid at the small entity rate. Petitioner later discovered that the inventive entity did not qualify as a small entity and filed the instant petition, accordingly.

Petitioner has remitted the deficient amount of \$585.00.

Pursuant to 37 CFR 1.28(d), the payment of the deficient amount will be treated under 37 CFR 1.27(g)(2) as a notification of a loss of entitlement to small entity status.

The application file will be directed to Technology Center 2600 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions